

REMARKS

By the foregoing Amendment, Claims 1, 3-8, and 10-12 have been amended, and Claims 2 and 9 have been cancelled. Favorable reconsideration of the application is respectfully requested.

Claims 1-12 were rejected under 35 U.S.C. §103(a) on the grounds of obviousness from Buell, in view of keychains for boaters of the admitted prior art and Bishop, which was cited as disclosing a card holder including a hole for securing a card to a retaining element. The Examiner indicated that although no prior art has been cited to show the feature of boating rules and boating information imprinted on cards, that it is obvious that keyring tags can be used in various applications, and that for a keyring with tags to be used in boating circuits, it would have been an obvious matter of choice to one skilled in the art to provide marine information.

Claims 2 and 9 have been cancelled. The subject matter of Claim 2 has been incorporated in Claim 1, and the subject matter of Claim 9 has been incorporated in Claim 8. Claim 1 has been amended to be directed to a "floating boater's keychain," and to recite "at least one planar boating information page connected to said keychain, said at least one planar boating information page being formed of a waterproof, buoyant sheet material." Claim 8 similarly has been amended to be directed to a "floating boater's keychain," and to recite " a plurality of planar boating information pages connected to said keychain, said plurality of planar boating information pages being formed of a waterproof, buoyant sheet material." Support for the recitation of "pages" can be found

in the specification paragraph 12, line 2. The Examiner also indicated that the admitted prior art discloses keyrings for use by boaters, and that most of these include a buoyant element, usually with imprinted indicia. It is respectfully submitted that a floating boater's keychain with one or more planar boating information pages connected to the keychain, with the one or more planar boating information pages being formed of a waterproof, buoyant sheet material, as is now recited in the claims, is not obvious from Buell, in view of keychains for a boater of the admitted prior art and Bishop, either taken individually or in combination. None of the references cited by the Examiner individually discloses the invention as claimed, and it is respectfully submitted that it would not have been obvious for one of ordinary skill in the art to have combined the references cited to arrive at the invention as claimed.

The attached declaration of the Applicant, Robert Grossman, describes the commercial success of the claimed invention, and it is respectfully submitted that the commercial success of Applicant's floating boater's keychain is strong evidence of non-obviousness of the invention as claimed.

The floating boater's keychain that has been a commercial success is covered by the pending claims. Each floating boater's keychain sold includes the features of a keychain and one or more planar boating information pages connected to the keychain, with the one or more information pages being formed of a waterproof, buoyant sheet material, the one or more planar boating information pages having at least one side imprinted with boating rules and boating information, the one or more planar boating information pages including a grommet through a portion of the one or more planar

boating information pages, and the keychain being threaded through the grommet. Thus, the pending claims cover Applicant's commercial floating boater's keychains, and it is respectfully submitted that there is a clear nexus between Applicants' claimed invention and the commercial success of the commercial floating boater's keychains.

It is respectfully submitted that this evidence of commercial success of the claimed invention is indicative of non-obviousness. It is therefore respectfully submitted that the rejection of Claims 1-12 on the grounds of obviousness from Buell, in view of keychains for a boater of the admitted prior art, and further in view of Bishop, should be withdrawn.

Claims 1-12 were rejected under 35 U.S.C. §103(a) on the grounds of obviousness from Biggs et al. cited as Patent No. 4,165,890, in view of keychains for boaters of the admitted prior art. The patent to Biggs et al. is listed in the Notice of References Cited as Patent No. 1,841,780. Patent No. 4,165,890 was issued to Leff. From the Examiner's remarks, it appears that the Examiner intended to apply Patent No. 1,841,780 (Biggs et al.) in view of keychains for boaters of the admitted prior art. Biggs et al. discloses a key ring with a plurality of tags or leaves imprinted with hotel directory or advertising information. Patent No. 4,165,890 (Leff) discloses a key ring with a plurality of plastic envelopes into which a picture may be inserted, for use as an aid to communication by someone who could indicate one of the pictures. The Examiner indicated that it would have been obvious to one skilled in the art to make the cards of Biggs et al. (or Leff) from a buoyant material according to the admitted prior art if the cards are to be used in a water environment as in the case of boaters. However, there appears to be no teaching in

Biggs et al. (or Leff) of using such cards on a key ring in a water environment as in the case of boaters.

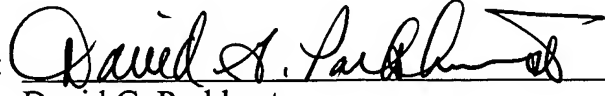
It is respectfully submitted that a floating boater's keychain with one or more planar boating information pages connected to the keychain, with the one or more planar boating information pages being formed of a waterproof, buoyant sheet material, as is now recited in the claims, is not obvious from Biggs et al. (or Leff), in view of keychains for a boater of the admitted prior art, either taken individually or in combination. None of the references cited by the Examiner individually discloses the invention as claimed, and it is respectfully submitted that it would not have been obvious for one of ordinary skill in the art to have combined the references cited to arrive at the invention as claimed, particularly in view of the commercial success of the invention claimed, as discussed above. It is therefore respectfully submitted that the rejection of Claims 1-12 on the grounds of obviousness from Biggs et al. (or Leff), in view of keychains for a boater of the admitted prior art, should be withdrawn.

Applicant has reviewed the additional prior art made of record but not relied upon, and it is believed that the additional prior art made of record but not relied upon is no more pertinent than the art actually applied.

In light of the foregoing amendments and remarks, it is respectfully submitted that the application should now be in condition for allowance, and an early favorable action in this regard is respectfully requested.

Respectfully submitted,

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